

# WORKMAN NYDEGGER

ATTORNEYS AT LAW

A PROFESSIONAL CORPORATION

1000 EAGLE GATE TOWER  
60 EAST SOUTH TEMPLE  
SALT LAKE CITY, UTAH 84111  
TELEPHONE (801) 533-9800  
FACSIMILE (801) 328-1707

RICK D. NYDEGGER  
BRENT P. LORIMER  
THOMAS R. VUKSINICK  
LARRY R. LAYCOCK  
JONATHAN W. RICHARDS  
DAVID R. WRIGHT  
JOHN C. STRINGHAM  
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CHARLES L. ROBERTS  
DANA L. TANGREN  
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GREGORY M. TAYLOR  
DAVID B. DELLENBACH  
R. BURNS ISRAELSEN  
DAVID R. TODD  
L. DAVID GRIFFIN  
ADRIAN J. LEE  
FRASER D. ROY  
CARL T. REED

R. PARRISH FREEMAN, JR.  
PETER F. MALEN, JR.  
L. REX SEARS, PH.D.  
ERIC M. KAMERATH  
ROBERT E. AYCOCK  
JENS C. JENKINS  
KEVIN W. STINGER  
WILLIAM J. ATHAY  
MICHAEL B. DODD  
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RYAN D. BENSON  
SARA D. JONES  
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JANNA L. JENSEN  
MATTHEW D. TODD  
J. LAVAR OLDHAM  
MICHAEL J. FRODSHAM  
JOSEPH L. KRUPA  
BRETT A. HANSEN  
BRETT I. JOHNSON  
MATTHEW A. BARLOW

† ADMITTED ONLY IN CALIFORNIA

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MAILING ADDRESS:  
P.O. BOX 45862  
SALT LAKE CITY, UT 84145

INTERNET

HOME PAGE: <http://www.wnpatent.com>  
GENERAL E-MAIL: [info@wnpatent.com](mailto:info@wnpatent.com)

Express Mail Label No. EL996742871US

PATENT APPLICATION

Docket: 15436.30.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450



## TRANSMITTAL FOR PATENT APPLICATION

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is a United States patent application entitled MAGNETO-OPTIC VARIABLE OPTICAL ATTENUATOR in the names of the following inventors:

Inventor: William Freeman  
Address: 3662 La Costa Ave.  
Castro Valley, CA 94546  
Citizenship: USA

Inventor: Steve Wang  
Address: 1818 Libretto Ct.  
San Jose, CA 95131  
Citizenship: USA

Inventor: Frank H. Levinson  
Address: 4337 Renaissance Drive, #116  
San Jose, CA 95134  
Citizenship: USA

x Priority to U.S. Provisional Application Serial No. 60/419,436 filed on October 18, 2002 is claimed under 35 U.S.C. § 119.

Enclosed are the following:

- x A specification, claims, abstract, and cover page in total comprising twenty-five (25) pages
- x Formal Drawings (4 sheets)
- x A Non-Publication Request
- x A Certificate of Express Mailing by "Express Mail" certifying a filing date by use of Express Mail Label No. EL996742871US
- x No Declaration, Power of Attorney, and Petition is enclosed.

The filing fee has been calculated as shown below.

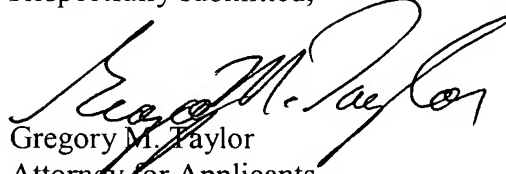
			Small Entity			Other Than a Small Entity	
For	No. Filed	No. Extra	Rate	Fee	or	Rate	Fee
Basic Fee				\$385		\$770	\$770
Total Claims	32 - 20 =	12	x 9 =	\$		x 18 =	\$216
Ind. Claims	5 - 3 =	2	x 43 =	\$		x 86 =	\$172
Multiple Dependent Claims Presented			+145 =	\$		+ 290 =	\$
			Total	\$		Total	\$1158

- x Credit Card Payment Form PTO-2038 authorizing payment of \$1,158.00 is enclosed to cover the filing fee.
- x The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed
  - x Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.
  - x Any patent application processing fees under 37 C.F.R. § 1.17.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Dated this 17<sup>th</sup> day of October 2003.

Respectfully submitted,



Gregory M. Taylor  
Attorney for Applicants  
Registration No. 34,263  
Customer No. 022913

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

"Express Mail" Mailing Label No.: EL996742871US

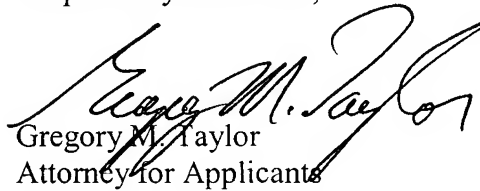
CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated below in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- Patent Application entitled MAGNETO-OPTIC VARIABLE OPTICAL ATTENUATOR in the names of William Freeman, Steve Wang, and Frank H. Levinson
- Formal Drawings (4 sheets)
- Non-Publication Request
- Transmittal Letter
- Credit Card Payment Form PTO-2038 for \$1,158.00
- Postcard

Dated this 17<sup>th</sup> day of October 2003.

Respectfully submitted,



Gregory M. Taylor  
Attorney for Applicants  
Registration No. 34,263  
Customer No. 022913

Express Mail No. EL996742871US

PATENT APPLICATION

Docket No.: 15436.30.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:		)
		)
	William Freeman et al.	)
		)
Serial No.:	N/A	)
		)
Filed:	October 17, 2003	)
		)
For:	MAGNETO-OPTIC VARIABLE	)
	OPTICAL ATTENUATOR	)

NONPUBLICATION REQUEST

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

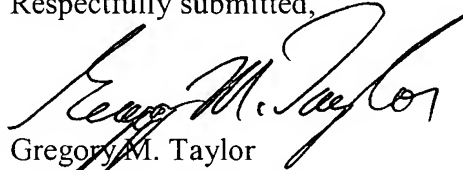
Applicants hereby make a "NONPUBLICATION REQUEST" in accordance with 37 C.F.R. § 1.213(a). As such, the present application is not to be published under 35 USC § 122 (b). Applicants certify that the application has not been and will not be the subject of an application filed in another country, or under a multi-lateral international agreement, that requires publication of applications eighteens months after filing.

The foregoing certification is predicated upon both objective and subjective factors, any of which the Applicants reserve the right to reconsider at any time in the future for purposes of subjecting the present application to one or more filings in other countries. As such, the Applicants reserve the right under 37 C.F.R. § 1.213(b) to rescind the foregoing "NONPUBLICATION REQUEST." Moreover, Applicants further reserve the right under 37

C.F.R. § 1.213(c) to subsequently file, in a foreign country or under a multi-lateral international agreement, an application directed to the inventions disclosed in the application filed in the Patent and Trademark Office, should Applicants' reconsideration of said subjective and objective factors deem that such foreign filings would be in the Applicants' best interest.

Dated this 17<sup>th</sup> day of October 2003.

Respectfully submitted,



Gregory M. Taylor  
Attorney for Applicants  
Registration No. 34,263  
Customer No. 022913